

1 PATRICIA A. KINAGA, SBN 126845  
2 DREW ALEXIS, SBN 177692  
3 DANIEL HO, SBN 205852  
4 WOO JEAN CHUNG, SBN 266838  
5 KINAGA LAW FIRM  
6 617 South Olive Street, Suite 1210  
7 Los Angeles, CA 90014  
8 Tel: 213.623.8588  
9 Fax: 213.623.8788  
10 pkinaga@kinagalawfirm.com  
11 dalexis@kinagalawfirm.com  
12 jchung@kinagalawfirm.com  
13 dho@kinagalawfirm.com

14 Attorneys for Plaintiff  
15 NICHOLAS LYON

16 UNITED STATES DISTRICT COURT  
17 CENTRAL DISTRICT OF CALIFORNIA

18 NICHOLAS LYON, an individual,  
19 Plaintiff,

20 v.

21 FUNIMATION PRODUCTIONS,  
22 LTD., dba FUNIMATION  
23 ENTERTAINMENT; AMERICAN  
24 UNITED MEDIA, LLC, dba IFA  
25 DISTRIBUTION; ROBERT  
26 RODRIGUEZ, as an individual; GEN  
27 FUKUNAGA, as an individual;  
28 GIANT APE MEDIA; BULLET FILM  
PRODUCTION COMPANY, L.L.C.,  
and DOES 1 through 50,

Defendants.

CASE NO. SACV13-1322 MWF  
(AJWx)

**DECLARATION OF NICHOLAS  
LYON IN SUPPORT OF  
SUPPLEMENTAL REPLY TO  
RESPONSE TO OSC RE  
PRELIMINARY INJUNCTION**

Courtroom 1600, Sixteenth Floor  
Judge: Honorable Michael W.  
Fitzgerald

**DECLARATION OF NICHOLAS LYON**

I, Nicholas Lyon, declare as follows:

1. I am over the age of 18 and am competent to testify. I have personal knowledge of the facts stated herein.

2. I am the award winning film director and producer with over 20 years' experience in the film industry and 13 feature films who directed the filming of "Bullet", and was directing the editing when the facts leading to this litigation occurred, and as set forth in my declaration in support of Application for Order to Show Cause and Temporary Restraining Order, to wit, on or about April 5, 2013, I was blocked from finishing and told by the editor, who was an LLC employee hired by the Defendants, that the hard drives were being placed in a vault pending resolution of the outstanding legal issues raised by myself and SC Films.

3. As previously stated in my Declaration signed on September 9, 2013 and filed with this Court in support of my application for temporary restraining order, directing the edit of a live action film such as "Bullet" requires extensive experience in all aspects of film and storytelling, and a director builds a personal style, much like any artist, which is based on instinct, creativity, selection of cast, location, filming style, cinematography, soundscape, music, timing, and importantly, editing. I have devoted 20 years to create and build my "artistic signature" so to speak.

4. On October 1, October 2, and October 18, 2013 I viewed the version of "Bullet" which has been edited by FUNimation; as recently as October 4, 2013 one of FUNimation's producers, Chris Moujaes has informed me that FUNimation intends to release the FUNimation edited version of Bullet.


5. The FUNimation version contains very obvious storytelling errors, editing flaws, and shots that look cheap and lower the production value. The editing errors and timing issues in FUNimation's version result in a lack of suspense, confusing unconnected appearances of certain actors, illogical setting discrepancies and timeline of events, as well as the inclusion of undesirable performances. The film lacks an overall and coherent sense of style that would be expected of me as a director.

1           6.       If released, the FUNimation version will irreparably harm my reputation as a  
2 director. It will make it difficult for me to win the trust of talent, producers and financiers in the  
3 future. As a director, such elementary story telling errors and editing flaws are unacceptable, and  
4 the release of the Funimation edit will give the entire industry the false impression of my skills,  
5 which is ultimately why I am hired. I offer high production value no matter the budget.

6           7.       Release of a version of "Bullet" over which I have had no or limited involvement  
7 in post production (editing) will also seriously damage my reputation as I approach successful  
8 actors (such as Danny Trejo, Marlee Matlin, Jamie Kennedy, Robert Blanche to name a few),  
9 production entities, investors, and distributors with the promise that as director I will be involved in  
10 all aspects of the directing, including the important editing.

11           8.       My reputation as not only a director but also as a producer and writer are at stake,  
12 and irreparable damage would occur should an inferior "Bullet" be released, as word will spread  
13 that I cannot be relied on to deliver a high quality film.

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15  
16           I declare under penalty of perjury under the laws of the State of California that the  
17 foregoing is true and correct. Executed this 31st day of October 2013 at West Hollywood,  
18 California.

  
Digitally signed by Nicholas  
Lyon  
DN: cn=Nicholas Lyon, o, ou,  
email=nicklyon@mac.com,  
c=US  
Date: 2013.10.31 15:05:07  
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21           Nicholas Lyon  
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